

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL  
DISTRICT AND OCEAN CHARTER  
SCHOOL.

OAH Case No. 2015110093

ORDER GRANTING MOTION TO  
FILE SECOND AMENDED  
COMPLAINT

On November 02, 2015, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Los Angeles Unified School District and Ocean Charter School. On December 9, 2015, Student filed a motion to amend complaint. On December 16, 2015, OAH granted Student's request and issued a new scheduling order. On December 18, 2015, Student filed a pleading entitled "Correction of Parties in Background Facts and Law as Per Responsible Statute," which is a second amended complaint and is therefore deemed a request to amend. On the same date, Charter filed an amended response to the complaint. No opposition was filed to Student's request to amend.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The second amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: January 05, 2016

/s/

CLIFFORD H. WOOSLEY  
Administrative Law Judge  
Office of Administrative Hearings